

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 04-2873

Kenneth R. James,

Appellant,

v.

T. C. Outlaw, Warden,

Appellee.

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* Appeal from the United States

* District Court for the

* District of Minnesota.

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* [UNPUBLISHED]

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Submitted: August 3, 2005

Filed: August 9, 2005

Before BYE, McMILLIAN, and RILEY, Circuit Judges.

PER CURIAM.

Kenneth James appeals the district court's¹ denial of his motion to reopen his 28 U.S.C. § 2241 petition, in which he had alleged the wrongful revocation of good-time credits. Having carefully reviewed the record, we conclude the case is moot: James was released from prison while the appeal was pending, return of the good-time credits at issue would have no effect on his current term of supervised release, and at this time we see no collateral consequences from the challenged disciplinary action. See United States v. Johnson, 529 U.S. 53, 54-59 (2000) (supervised release

¹The Honorable Richard H. Kyle, United States District Judge for the District of Minnesota.

begins when prisoner is released from prison; excess prison time served cannot offset term of supervised release); cf. Leonard v. Nix, 55 F.3d 370, 372-73 (8th Cir. 1995) (release of prisoner (subsequently reincarcerated) did not moot habeas petition where challenged disciplinary had collateral consequences).

Accordingly, we dismiss this appeal.
